

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Higher Education Dept. - Vigilance Cell – Allegation of certain irregularities by Dr. Y. Srihari, Principal (Retired), VRS & YRN College, Chirala, Prakasam District – Further action dropped – Orders – Issued.

HIGHER EDUCATION (VC.1) DEPARTMENT

G.O.Rt. No.232

Dated: 09-05-2014.

Read the following:-

1. From the CCE, AP, Letter Rc.No.6464/AdmnII-1/2003, Dt.12.3.2012
2. Govt. Memo No.7796/CE.II.1/2012-3, Dt.22.12.2012.
3. From the CCE, AP, Letter Rc.No.6464/AdmnII-1/2003, Dt.21.2.2013 & 28.10.2013.
4. Govt. Memo No.7796/vc.1/2012, Higher Education (VC.1) Dept., Dt.30.12.2013.
5. From the CCE, AP, Letter Rc.No.6464/AdmnII-1/2003, Dt.21.2.2013 & 18.01.2014.

ORDER:

In the reference first read above, the Commissioner of Collegiate Education, A.P., has informed that Dr. Y. Srihari, Principal was kept under suspension by the Management of VRS & YRN College, Chirala from 28.10.2000 to 31.12.2000 on the ground that he has withdrawn and deposited Rs.50,125/- in his personal account. The Regional Joint Director of Collegiate Education, Guntur has conducted preliminary enquiry and informed that Sri Y. Srihari has not committed so much irregularity to keep him under suspension, and instructed the Correspondent for reinstatement. The Director & Commissioner of Collegiate Education also instructed to admit him into duty. He was retired from service on 31.12.2000 while he was under suspension.

2. The Commissioner of Collegiate Education, AP has further informed that the Management of the College has appointed an Enquiry Committee for enquiry. But the individual has objected the Enquiry Committee on the reason that Sri M. Sambasiva Rao, Retd. P.D. of the College (member of enquiry committee) is subordinate to him. Therefore, he had requested to reconstitute the Committee. The Governing body of the college resolved not to reconstitute the Enquiry Committee. While the matter stood thus, the individual has filed W.P. No.19979/2003, and the High Court in its interim orders Dt.26.04.2006 directed “to process the provisional pension proposals.” Accordingly, in G.O.Rt. No.565, H.E (CE.II-1) Dept. dt.29.06.06 provisional pension was sanctioned to the individual. The High Court in its final order dt.09.09.010 in WP Nos.19979 of 2003 and 12245/2004 opined that conducting enquiry for the second time for the very same charges, which were not proved in the earlier enquiry and more particularly when a revision is pending before the Government is not maintainable and hence the Procs. of the Commissioner & Director of Collegiate Education, and consequent Proceedings of the 3rd respondent in Rc.No.2D/98, dt.5.7.04 cannot be sustained and they are liable to be set aside and accordingly set aside. Hence, the Commissioner of Collegiate Education, has requested the Govt. for release of pension and pensionary benefits to the individual.

3. The Commissioner of Collegiate Education, AP in his Letter in the reference dated 18.01.2012 has informed that the FDR bearing No.7/98 for Rs.50,126/- was obtained in the name of Dr.Y.Srihari, the then Principal on 09.04.1998 at first instance, later on maturity, the FDR was encashed Rs.62,270/- on 09.04.2000 and deposited in SB A/C No.334 of Andhra Bank, Gavinivaripalem Branch, Chirala by the successor Principal, VRS & YRN College, Chirala. The Correspondent has also issued no due certificate in respect of Dr.Y.Srihari.

4. Government after careful examination, it has been observed that Sri Y. Srihari, has withdrawn the College amount of Rs.50,125/- and deposited the same in his personal account on 9.4.1998. On maturity, the total amount of Rs.62,270/- was encashed and remitted by the successor Principal in the College Account. The

incumbent has violated the rules and temporarily misappropriated the funds. However, there is no loss of revenue to Govt.

5. According to Rule-9 (2) (b) (ii) of A.P. Revised Pension Rules, 1980, "shall not be in respect of any event which took place more than four years before such institution". The above individual was retired from service on 31.12.2000, and the incident was occurred during the year 9.4.1998. The 4 years period was completed by 31.12.2004. Hence disciplinary proceedings can not be initiated against Dr. Y. Srihari, Principal (Retd.), VRS & YRN College, Chirala, Prakasham Dist.

6. Hence, Government has decided to drop further action against Dr. Y. Srihari, Principal (Retd.), VRS & YRN College, Chirala, Prakasham Dist. under Rule 9 (2) (b) (ii) of APRPRs, 1980, and accordingly, Government hereby drop further action against him, as there is no loss to Govt.

7. The Commissioner of Collegiate Education AP, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner of Collegiate Education, AP, Hyderabad.

Copy to:

Dr. Y. Srihari, Principal (Retd.), VRS & YRN College, Chirala, Prakasham Dist.

through the CCE, AP, Hyderabad.

The Regional Joint Director of Collegiate Education, Guntur.

The Secretary to VC, A.P. Vigilance Commission, Secretariat, Hyderabad.

The Accountant General, AP, Hyderabad.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER